

DAN RAYFIELD
Attorney General
CARLA A. SCOTT #054725
SHEILA H. POTTER #993485
CRAIG M. JOHNSON #080902
Senior Assistant Attorneys General
JILL CONBERE #193430
Assistant Attorney General
Department of Justice
100 SW Market Street
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: Carla.A.Scott@doj.oregon.gov
Sheila.Potter@doj.oregon.gov
Craig.M.Johnson@doj.oregon.gov
Jill.Conbere@doj.oregon.gov

Attorneys for Defendants Patrick Allen, Sejal Hathi, Dolores Matteucci, and James Diegel

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DISABILITY RIGHTS OREGON,
METROPOLITAN PUBLIC DEFENDER
SERVICES, INC., and A.J. MADISON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as
head of the Oregon Health Authority, and
JAMES DIEGEL in his official capacity as
Interim Superintendent of the Oregon State
Hospital,

Defendants.

JAROD BOWMAN, JOSHAWN DOUGLAS-
SIMPSON,

Plaintiffs,

v.

JAMES DIEGEL, Interim Superintendent of
the Oregon State Hospital, in his official

Case No. 3:02-cv-00339-AN (Lead Case)
Case No. 3:21-cv-01637-AN (Member Case)
Case No. 6:22-CV-01460-AN (Member Case)

JOINT MOTION FOR ENTRY OF ORDER
ON ATTORNEY'S FEES AND COSTS

Case No. 3:21-cv-01637-AN (Member Case)

capacity, DOLORES MATTEUCCI, in her individual capacity, SEJAL HATHI, Director of the Oregon Health Authority, in her official capacity, and PATRICK ALLEN in his individual capacity,

Defendants.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER d/b/a UNITY CENTER FOR BEHAVIORAL HEALTH; LEGACY HEALTH SYSTEM; PEACEHEALTH; and PROVIDENCE HEALTH & SERVICES OREGON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as Director of Oregon Health Authority,

Defendant.

Case No. 6:22-CV-01460-AN (Member Case)

JOINT MOTION

The parties jointly move for entry of the attached stipulated order awarding Disability Rights Oregon (DRO) attorney's fees in the amount of \$144,123.50 in accordance with Federal Rule of Civil Procedure 54(d). As provided in the proposed order, DRO and Defendants further move that the award be contingent on DRO remaining the prevailing party on a fee-bearing claim after the appellate mandate issues following Defendants' appeal from this Court's June 6, 2025, Opinion and Order.

BACKGROUND

On June 6, 2025, this Court granted DRO's motion for contempt and entered an Opinion and Order finding Defendants in contempt (the Contempt Order). Thereafter, DRO filed a motion for an award of attorney fees and costs incurred in connection with its motion for contempt. Defendants have appealed the Contempt Order. To avoid the need to litigate the amount of fees and costs DRO seeks, the parties have settled the amount to be awarded

under Rule 54(d) and ask this Court to enter the attached proposed stipulated order to effectuate that settlement.

DATED August 13, 2025.

Respectfully submitted,

DAN RAYFIELD
Attorney General

s/ Carla A. Scott

CARLA A. SCOTT #054725
CRAIG M. JOHNSON #080902
SHEILA H. POTTER #993485
Senior Assistant Attorneys General
JILL CONBERE # 193430
Assistant Attorney General
Trial Attorneys
Tel (971) 673-1880
Fax (971) 673-5000
Carla.A.Scott@doj.oregon.gov
Sheila.Potter@doj.oregon.gov
Craig.M.Johnson@doj.oregon.gov
Jill.Conbere@doj.oregon.gov
Of Attorneys for Defendants

s/ Emily cooper

EMILY COOPER # 182254
ecooper@droregon.org
DAVID BOYER 235450
dboyer@droregon.org
THOMAS STENSON #152894
tstenson@droregon.org
Tel (503) 243-2081
JESSE A. MERRITHEW # 074564
jesse@lmhlegal.com
Tel (971) 229-1241

Attorneys for Plaintiffs

DAN RAYFIELD
Attorney General
CARLA A. SCOTT #054725
SHEILA H. POTTER #993485
CRAIG M. JOHNSON #080902
Senior Assistant Attorneys General
JILL CONBERE #193430
Assistant Attorney General
Department of Justice
100 SW Market Street
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: Carla.A.Scott@doj.oregon.gov
Sheila.Potter@doj.oregon.gov
Craig.M.Johnson@doj.oregon.gov
Jill.Conbere@doj.oregon.gov

Attorneys for Defendants Patrick Allen, Sejal Hathi, Dolores Matteucci, and James Diegel

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DISABILITY RIGHTS OREGON,
METROPOLITAN PUBLIC DEFENDER
SERVICES, INC., and A.J. MADISON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as
head of the Oregon Health Authority, and
JAMES DIEGEL in his official capacity as
Interim Superintendent of the Oregon State
Hospital,

Defendants.

JAROD BOWMAN, JOSHAWN DOUGLAS-
SIMPSON,

Plaintiffs,

v.

Case No. 3:02-cv-00339-AN (Lead Case)
Case No. 3:21-cv-01637-AN (Member Case)
Case No. 6:22-CV-01460-AN (Member Case)

STIPULATED ORDER ON ATTORNEY'S
FEES AND COSTS

Case No. 3:21-cv-01637-AN (Member Case)

JAMES DIEGEL, Interim Superintendent of the Oregon State Hospital, in his official capacity, DOLORES MATTEUCCI, in her individual capacity, SEJAL HATHI, Director of the Oregon Health Authority, in her official capacity, and PATRICK ALLEN in his individual capacity,

Defendants.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER d/b/a UNITY CENTER FOR BEHAVIORAL HEALTH; LEGACY HEALTH SYSTEM; PEACEHEALTH; and PROVIDENCE HEALTH & SERVICES OREGON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as Director of Oregon Health Authority,

Defendant.

Case No. 6:22-CV-01460-AN (Member Case)

On June 6, 2025, this Court granted Plaintiff Disability Rights Oregon's (DRO) motion for contempt and entered an Opinion and Order finding Defendants in contempt (the Contempt Order). Defendants have appealed the Contempt Order. During the pendency of the appeal, Defendants and DRO have settled DRO's pending motion for attorney fees and costs (ECF No. 613) by agreeing on an amount for the requested award.

Per the parties' agreement, DRO is awarded \$144,123.50 in attorney's fees and no costs. This award resolves all attorney's fees and other costs in this matter recoverable under Federal Rule of Civil Procedure 54(d) and 42 U.S.C. § 1988 relating to the district court litigation of this matter between November 2024 and June 2025. This attorney's fees and costs award is contingent on DRO remaining the prevailing party on a fee-bearing claim after the appellate mandate issues for this matter.

DATED August 13, 2025.

IT IS SO STIPULATED:

DAN RAYFIELD
Attorney General

s/ Carla A. Scott

CARLA A. SCOTT #054725
CRAIG M. JOHNSON #080902
SHEILA H. POTTER #993485
Senior Assistant Attorneys General
JILL CONBERE # 193430
Assistant Attorney General
Trial Attorneys
Tel (971) 673-1880
Fax (971) 673-5000
Carla.A.Scott@doj.oregon.gov
Sheila.Potter@doj.oregon.gov
Craig.M.Johnson@doj.oregon.gov
Jill.Conbere@doj.oregon.gov
Of Attorneys for Defendants

s/ Emily Cooper

EMILY COOPER # 182254
ecooper@droregon.org
DAVID BOYER 235450
dboyer@droregon.org
THOMAS STENSON #152894
tstenson@droregon.org
Tel (503) 243-2081
JESSE A. MERRITHEW # 074564
jesse@lmhlegal.com
Tel (971) 229-1241

Attorneys for Plaintiffs

DATED: _____

HONORABLE ADRIENNE C. NELSON
U. S. District Court Judge

Submitted by: Carla A. Scott
Senior Assistant Attorney General
Attorneys for Defendants